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Attorney for Defendant  
WALTER PRILL

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

UNITED STATES OF AMERICA,	)	Case No.: 20-MJ-00699-BNW
	)	
Plaintiff,	)	
	)	STIPULATION AND ORDER TO
v.	)	CONTINUE TRIAL
	)	
WALTER PRILL,	)	
	)	
Defendant,	)	
	)	(Second Request)

IT IS HEREBY STIPULATED by and between WALTER PRILL, Defendant, by and through counsel JAMES C. GALLO, JR., ESQ.; and the United States of America, by and through, RACHEL KENT, ESQ., Assistant United States Attorney, and the trial currently scheduled for January 27, 2021, at the hour of 9:00 a.m., be continued to a date and time to be set by this Honorable Court.

This Stipulation is entered into for the following reasons:

1. Counsel for Defendant has requested a continuance from U.S. Attorney Rachel Kent who has no objection to this continuance.
2. Defendant has continuing medical issues.
3. Counsel for Defendant needs additional time to consult with Defendant to adequately prepare for trial and/or possible negotiations with the United States.

- 1 4. Denial for this request for continuance would deny the parties herein time and the  
2 opportunity within which to effectively and thoroughly research and prepare for trial  
3 in this case, taking into account the exercise of due diligence.  
4  
5 5. Additionally, denial of this request for continuance would result in a miscarriage of  
6 justice.  
7  
8 6. For all the above-stated reasons, the ends of justice would best be served by a  
9 continuance of the trial date.  
10  
11 7. The additional time requested by this stipulation, is excludable in computing the time  
12 within which the trial herein must commence pursuant to the Speedy Trial Act, 18  
13 U.S.C. 3161(h)(7) (A), considering the factors under 18 U.S.C. 3161 (h)(7)(B)( i)  
14 and 3161 (h)(7)(B)(iv).  
15  
16 8. This is the second request for a continuance of the trial date in this case.

17 DATED this 26<sup>th</sup> day of January, 2021.

18 Respectfully submitted.

19 GALLO LAW OFFICE

20 UNITED STATES ATTORNEY

21 /S/ James C. Gallo  
22 JAMES C. GALLO, ESQ.  
23 Nevada Bar No. 005959  
24 818 S. Casino Center Blvd.  
25 Las Vegas, NV 89101  
26 Attorney for Defendant  
27 WALTER PRILL  
28

/S/ Rachel Kent  
RACHEL KENT, ESQ.  
Assistant United States Attorney  
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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,	)	Case No.: 20-MJ-00699-BNW
	)	
Plaintiff,	)	
	)	ORDER TO CONTINUE TRIAL
v.	)	
	)	
WALTER PRILL,	)	
	)	
Defendant,	)	
	)	(Second Request)

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds:

1. Counsel for Defendant has requested a continuance from U.S. Attorney Rachel Kent, Esq., who has no objection to this continuance.
2. Defendant has continuing medical issues.
3. Counsel for Defendant needs additional time to consult with Defendant to adequately prepare for trial and/or possible negotiations with the United States.
4. Denial for this request for continuance would deny the parties herein time and the opportunity within which to effectively and thoroughly research and prepare for trial in this case, taking into account the exercise of due diligence.

1           5. Additionally, denial of this request for continuance would result in a miscarriage of  
2 justice.

3           6. For all the above-stated reasons, the ends of justice would best be served by a  
4 continuance of the trial date.

5           7. The additional time requested by this stipulation, is excludable in computing the time  
6 within which the trial herein must commence pursuant to the Speedy Trial Act, 18  
7 U.S.C. 3161(h)(7) (A), considering the factors under 18 U.S.C. 3161 (h)(7)(B) (i)  
8 and 3161 (h)(7)(B)(iv).

9           8. This is the second request for a continuance of the trial date in this case.

10  
11  
12                                   CONCLUSIONS OF LAW

13           The end of justice served by granting said continuance outweigh the best interest of the  
14 public and defendant in a speedy trial since the failure to grant said continuance would likely result  
15 in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within  
16 which to be able to effectively and thoroughly prepare for sentencing taking into account the  
17 exercise of due diligence.

18  
19           The continuance sought herein is excludable under the Speedy Trial Act, Title 18 U.S.C.  
20 3161(h)(7) (B)(i), considering the factors under title 18 U.S.C. 3161 (h)(7)(B)( i) and 3161  
21 (h)(7)(B)(iv).

22                                   ORDER

23           IT IS FURTHER ORDERED that the trial scheduled for January 27, 2021 at the hour of  
24 9:00 a.m., be vacated and continued for at least sixty days to March 30, 2021  
25 at 9:00 AM in courtroom #3B.

26           DATED this 26th of January, 2021.

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28                                   

U.S. Magistrate Judge